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ى الذبح ؛ فكانت رواية الجامع مقيدة لإطلاق رواية
بأن الذبح إذا وقع أعلى من الحلقوم لا يحل ؛ لأن الذبح
إمام الرستغفنى تخالف هذه حيث قال : هذا قول العوام
ت العقدة مما يلى الرأس أو الصدر ، لأن المعتبر عندنا قطع
ان شيخى يفتى بهذه الرواية ، و يقول : الرستغفنى إمام معتمد
الإتقانى هذه الرواية فى غاية البيان ، وشنّع على من خالفها
قول محمد فى الجامع «أو أعلاه» فإذا ذبح فى الأعلى لا بد
ت إلى العقدة فى كلام الله تعالى ولا كلام رسول الله صلى
لبة والمحيين بالحديث ، وقد حصلت لاسيما على قول الإمام
ع أيا كانت ، و يجوز ترك الحلقوم أصلا ، فبالأولى إذا قطع
ى ، اهـ . ومثله فى المنح عن البزازية ، و به جزم صاحب
لكن جزم فى النقاية والمواهب والإصلاح بأنه لا بد أن
و إليه مال الزيلعى ، قال شيخنا : والتحرير للمقام أن يقال :

ن لا ينقص الصدقة من الثلث ) لأن الجهات ثلاثة :
وينا ، والإطعام ؛ لقوله تعالى : « وأطعموا القانع والمعتر»

ية .

لأنه جزء منها ( أو يعمل منه آلة ) كنطع وجراب
في البيت ) قال في الهداية : ولا بأس بأن يشترى به
بقائه ، استحساناً ، لأن البدل حكم المبدل ، اه
أضحيته بيده ، إن كان يحسن الذبح ) ، لأنه عبادة ،
كان لا يحسن الذبح استعان بغيره وشهدها بنفسه ، لقوله
رضى الله عنها « قومى فاشهدى أضحيتك فإنه يغفر لك
ذنب » كما في الهداية ( ويكره أن يذبحها الكتابي )
ليس من أهلها ، ولو أمره فذبح جاز ، لأنه من أهل
نابته ونيته ، بخلاف ما إذا أمر المجوسي ، لأنه ليس
صاداً ، هداية

لانتهاء ، و إن تشاحّا فلكل واحد منهما أن يضمن
ك القيمة ؛ لأنها بدل من اللحم ، فصار كما لو باع
لما وقعت من صاحبه كان اللحم له ، ومن أتلف
ناه ، هداية .

ه ـ الجزء الثالث من كتاب « اللباب » بشرح
ور السنة الثالثة الإعدادية ، من المعاهد الدينية
الحمد ومُلهِمه ، وصلاته وسلامُه على أفضل الخلق
بعيه ، ولا عُدْوان إلا على الظالمين .

الث من كتاب « اللباب » بشرح الكتاب » المشتمل
عدادية من المعاهد الدينية الأزهرية ، والحمد لله رب
على إمام المتقين ، وعلى آله وصحبه أجمعين .